

IDAHO BARBER AND COSMETOLOGY SERVICES LICENSING BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 2/3/2020

BOARD MEMBERS PRESENT: Debra J Thompson - Chair
Merrilyn Cleland
Geneal Thompson
Thomas E Grimsman
Wendy S Rucker
Brian Porter
Lindy High

BUREAU STAFF: Kelley Packer, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Nicholas Crema, General Counsel
Rob McQuade, Legal Counsel
Eric Nelson, Board Prosecutor
Allegra Earl, Board Specialist

OTHERS PRESENT: La Donn Goodfellow and Ronda Clark,
Cosmetology School of Arts and Sciences
Ty Walker, Paul Mitchell of Rexburg
Ryan Evans, Evan's School of Hairstyling
Brock R Cornelison, Austin Kade Academy
Barb DeHaan, Northwest Career Colleges

The meeting was called to order at 8:30 AM MST by Debra J Thompson.

APPROVAL OF MINUTES

Ms. High made a motion to approve the minutes of 10/7/2019, 11/4/2019, 12/9/2019 and 1/8/2020. It was seconded by Mr. Grimsman. Motion carried.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

EXECUTIVE SESSION

Ms. Cleland made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the

Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Grimsman. The vote was: Ms. D Thompson, aye; Ms. Cleland, aye; Ms. G Thompson, aye; Ms. Rucker, aye; Mr. Porter; and Ms. High, aye. Motion carried.

Ms. G Thompson made a motion to come out of executive session. It was seconded by Ms. Cleland. Motion carried.

FOR BOARD DETERMINATION

Mr. Grimsman made a motion to approve the Bureau's recommendation and authorize closure in the following cases with a warning letter: I-BCB-2019-236, I-BCB-2020-51, I-BCB-2020-54, I-BCB-2020-80/105, I-BCB-2020-88/89, I-BCB-2020-90/91, I-BCB-2020-92/93, and I-BCB-2020-101/102, I-BCB-2020-103/104, I-BCB-2020-117, I-BCB-2020-123/124, I-BCB-2020-125/126, and I-BCB-2020-153. It was seconded by Ms. Rucker. Motion carried.

Mr. Grimsman made a motion to approve the Bureau's recommendation and to authorize closure in case numbers I-BCB-2019-36, I-BCB-2019-137, I-BCB-2019-210, I-BCB-2019-219, I-BCB-2019-220/2020-6, I-BCB-2019-229, I-BCB-2019-245, I-BCB-2020-8, I-BCB-2020-13, I-BCB-2020-44, I-BCB-2020-79, and I-BCB-2020-87. It was seconded by Ms. Rucker. Motion carried.

DISCIPLINE

Ms. Peel presented several Settlement Orders in case numbers: BCB-2020-100/101; BCB-2020-102/103; BCB-2020-105/106; BCB-2020-109/110; BCB-2020-118/119; and BCB-2020-122/123. Ms. Rucker made a motion to approve the Settlement Orders and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Grimsman. Motion carried.

LAWS AND RULES

Ms. Packer presented a legislative update.

Mr. Grimsman moved the following:

Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens.

These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws.

The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.

The Governor has also found that the fees being imposed are justified and necessary to avoid immediate danger to the Idaho Barber and Cosmetology Services Licensing Board's budget, to the state budget, to necessary state functions and services, and to avoid immediate danger of a potential violation of Idaho's constitutional requirement that it balance its budget.

Therefore, we are adopting these temporary rules to be effective upon *sine die* of the 2020 session of the Idaho Legislature. The approval is conditional and will only become effective if the rules are not otherwise approved or rejected by the Legislature and/or not extended pursuant to the Idaho Administrative Procedure Act, including Sections 67-5291 and 67-5292, Idaho Code.

It was seconded by Ms. Cleland. Motion carried.

Ms. G Thompson made a motion to designate Ms. High as the legislative designee for the Board. It was seconded by Mr Grimsman. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$683,646.82 as of 12/31/2019.

BUREAU BUSINESS

The Board reviewed the To Do List and no action was taken.

BOARD BUSINESS

DL ROOPE CONTRACT FY 2021

The Board reviewed the DL Roope contract for fiscal year 2021.

Mr. Grimsman made a motion to accept the DL Roope Administrations, LLC contract for FY2021 and to authorize Ms. Packer to sign on behalf of the Board. It was seconded by Ms. Rucker. Motion carried.

CONFERENCE UPDATES AND ATTENDANCE

The Board reviewed correspondence from the National Interstate Council of State Board of Cosmetology (NIC) regarding the mid-year meeting.

A motion was made by Ms. Cleland to have the Board approve all travel expenses for the mid-year NIC meeting in Biloxi, Mississippi and the annual meeting in Lexington,

Kentucky for any Board members and staff to attend as determined by the Board chair. It was seconded by Mr. Grimsman. Motion carried.

A motion was made by Mr. Grimsman to have the Board approve all travel expenses for the National Association of Barber Board of America (NABBA) in Washington, D.C. for any Board members and staff to attend as determined by the Board chair. It was seconded by Mr. Porter. Motion carried.

NATIONAL ASSOCIATION OF BARBER BOARDS OF AMERICA (NABBA) DUES

Ms. High made a motion to pay the membership dues to the National Association of Barber Boards of America. It was seconded by Mr. Grimsman. Motion carried.

PENDING TERMINATION PROCESS

Ms. Earl reviewed the pending termination process with the Board.

Ms. High made a motion to delegate the authority to the specialist to deal with the standard requests for an extension, and to use discretion to decide those that need to come before the Board for review. It was seconded by Ms. Cleland. Motion carried.

EXECUTIVE SESSION

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Mr. Grimsman made a motion to come out of executive session. It was seconded by Ms. Cleland. Motion carried.

APPLICATIONS

Ms. Cleland made a motion to approve the following for licensure:

URBAN 113 SCHOOL OF	
COSMETOLOGY	CC-275995
LE HONG LAN THI	NT-275793
MARSICANO BRIANNA NICOLE	CAPR-275813
RICHARDSON MCKINSEY IONE	CAPR-275983

It was seconded by Mr. Grimsman. Motion carried.

Ms. Cleland made a motion to table the following pending receipt of additional information:

901172677

It was seconded by Ms. Rucker. Motion carried.

Ms. Cleland made a motion to approve the following pending receipt of additional information:

901151220

It was seconded by Mr. Grimsman. Motion carried.

NEXT MEETING DATES

March 16, 2020 Conference Call at 8:00 AM MDT
July 6, 2020 Conference Call at 8:00 AM MDT
August 10, 2020 Conference Call at 8:00 AM MDT
September 14, 2020 Conference Call at 8:00 AM MDT
October 19, 2020 Face-to-Face Meeting 8:30 AM MDT
November 9, 2020 Conference Call at 8:00 AM MST
December 7, 2020 Conference Call at 8:00 AM MST

ADJOURNMENT

Ms. Cleland made a motion to adjourn the meeting at 11:34 AM MST. It was seconded by Ms. Rucker. Motion carried.

Debra J Thompson, Chair